LIQUOR COMMISSION CITY AND COUNTY OF HONOLULU PACIFIC PARK PLAZA 711 KAPIOLANI BOULEVARD, SUITE 600 HONOLULU, HAWAII 96813

FIFTH MEETING

THURSDAY, JULY 29, 2021

Commissioners present: Narsi A. Ganaban, Interim Chairperson

Malama Minn, Co-Vice Chairperson Darren Y. T. Lee, Co-Vice Chairperson

Duane R. Miyashiro, Member

Staff present: Franklin D. Pacarro, Jr., Administrator [remote]

Anna C. Hirai, Assistant Administrator

Peter H. Nakagawa, Chief Investigator [remote]

Daniel Sato, Supervising Liquor Control

Investigator – Licensing [remote]

Catherine Fontaine, Supervising Liquor Control

Investigator – Enforcement

Kalona Estomago, Acting Hearings Reporter Denise W. M. Wong, Deputy Corporation

Counsel (Advisory)

Katherine Neste, Deputy Corporation Counsel (Adjudicatory) [remote]

The meeting was called to order at 4:01 p.m. by the Chairman in the hearings room of the Liquor Commission.

APPROVAL OF MINUTES:

[4:01:39 p.m.]

The minutes of the 44th (5/20/21) meeting, as previously circulated, to be approved by the Commission.

[4:01:41 p.m.]

[It was moved by Minn and seconded by Lee that the minutes of the 44th meeting (5/20/21), as previously circulated, be approved by the Commission. Motion was unanimously carried, 4:0.]

PUBLIC HEARINGS:

[4:02:03 p.m.]

1. Appl. No. 21-22803 from The Players Golf Card LLC, dba The Players Shack, 45-285 Kaneohe Bay Drive, Kaneohe (Bay View Golf Driving Range) For a Restaurant General license (Category No. 1 – Standard Bar) (Prelim. Hrg. 5/13/21)

(Original Public Hrg. was scheduled on July 8, 2021)

The applicant was represented in this matter by its authorized representative, Mr. Emmanuel Zibakalam; its member/manager, Mr. Kellen Anderson; and its head of security, Mr. Tony Leiato.

[4:03:28 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 21-22803 from The Players Golf Card LLC be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

[4:03:55 p.m.]

2. Appl. No. 19-16080 from Sodexo America, LLC, dba Sodexo America, LLC, 300 Rodgers Boulevard, Building/Room No. 360-345 (Daniel K. Inouye International Airport; lounge above Gate C4)

For a Dispenser General license (Category No. 1 – Standard Bar) (Prelim. Hrg. 6/3/21)

PUBLIC HEARINGS: (CONT.)

The applicant was represented in this matter by its attorney, Mr. Robert Ichikawa; its vice-president, Mr. Marc Nakamoto; and its area general manager, Ms. Erin Awai.

[4:05:07 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 19-16080 from Sodexo America, LLC, be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS:

Special License Application:

[4:05:31 p.m.]

3. Appl. No. 22-23561 from Bishop Museum, dba Bishop Museum, 1525 Bernice Street For a [Non-Profit] Special General license from 8:00 a.m. on Thursday, August 19, 2021 to 5:00 p.m. on Friday, September 3, 2021 (total of 15 days)

(Silent/Online Auction Fundraiser)

The applicant was represented in this matter by its director of sales and events, Ms. Amber Bixel, and its general counsel, Mr. Barron Oda.

[4:06:58 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23561 from Bishop Museum be approved. Motion was unanimously carried, 4:0.]

PRELIMINARY HEARINGS:

[4:07:18 p.m.]

4. Trans. Appl. No. 21-22361 from PLC-KBH Management Company, LLC, dba Kaimana Beach Hotel

For the transfer of the business and Hotel General license of Hotel Kaimana, Inc., dba The New Otani Kaimana Beach Hotel, 2863 Kalakaua Avenue, and for a change of trade name to Kaimana Beach Hotel (L0031)

PRELIMINARY HEARINGS: (CONT.)

The applicant was represented in this matter by its attorney, Ms. Christina Ohira, and its general manager, Mr. Haaheo Zablan.

[4:07:31 p.m.]

Interim Chairperson Ganaban recuses herself from Agenda Items No. 4 and 12 and exited the hearings room.

[4:14:00 p.m. - 4:24:23 p.m.] Executive Session

[It was moved by Lee and seconded by Miyashiro that the Commission recess from regular session and enter into executive session. Motion was carried, 3:0:1, Ganaban recused.]

[SEE EXECUTIVE SESSION MINUTES]

[There being no further business in executive session, the Commission adjourned from executive session and resumed proceedings in regular session.]

[4:24:31 p.m.]

[It was moved by Minn and seconded by Lee that the preliminary hearing for Transfer Application No. 21-22361 from PLC-KBH Management Company, LLC, be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was carried, 3:0:1 Ganaban recused.]

REQUESTS:

[4:24:54 p.m.]

12. Request No. 22-23581 from PLC-KBH
Management Company,
LLC, dba Kaimana Beach
Hotel, Temporary Hotel
General license,
2863 Kalakaua Avenue
(L0031T)

Requesting an extension of its Second Temporary Hotel General license for an additional 22 days

(Unused 22 days accumulated when premises was shut down due to COVID-19)

(Second Temporary Hotel General license expires August 12, 2021)

The applicant was represented in this matter by its attorney, Ms. Christina Ohira, and its general manager, Mr. Haaheo Zablan.

REQUESTS: (CONT.)

[4:28:09 p.m. - 4:33:21 p.m.] Executive Session

[It was moved by Lee and seconded by Miyashiro that the Commission recess from regular session and enter into executive session. Motion was carried, 3:0.]

[SEE EXECUTIVE SESSION MINUTES]

[There being no further business in executive session, the Commission adjourned from executive session and resumed proceedings in regular session.]

[4:33:33 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23581 from PLC-KBH Management Company, LLC, be denied. Motion was carried, 3:0:1, Ganaban recused.]

[4:34:40 p.m.]

Interim Chairperson Ganaban reenters the hearings room.

PRELIMINARY HEARINGS: (CONT.)

[4:34:55 p.m.]

5. Trans. Appl. No. 21-22882 from Hawaii Best Seafood Restaurant Inc., dba Cajun King

For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of Cajun King Inc., dba Cajun King, 98-020 Kamehameha Highway, Aiea (R0938)

The applicant was represented in this matter by its authorized representative, Ms. Lisa Kato.

[4:35:23 p.m.]

[It was moved by Minn and seconded by Lee that the preliminary hearing for Transfer Application No. 21-22882 from Hawaii Best Seafood Restaurant Inc. be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was unanimously carried, 4:0.]

PRELIMINARY HEARINGS: (CONT.)

[4:35:44 p.m.]

6. Appl. No. 21-22846 from Extended Play Inc., dba EP Bar, 1150 Nuuanu Avenue, Unit A

For a Dispenser General license (Category No. 1 – Standard Bar)

The applicant was represented in this matter by its attorney, Mr. Matthew Chung, and its treasurer/secretary, Mr. Daniel Ng.

[4:38:27 p.m.]

[It was moved by Minn and seconded by Lee that the preliminary hearing for Application No. 21-22846 from Extended Play Inc. be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS: (CONT.)

Temporary License Applications:

[4:38:48 p.m.]

7. Appl. No. 21-23282 from Mr. Ojisan Inc., dba Mr. Ojisan

For a [Stand-Alone] Temporary Dispenser General license (Category No. 4 – Hostess) at 1785 South King Street, Unit 102, the former site of Club Genji (E0147)

The licensee was represented in this matter by its attorney, Mr. Keith M. Kiuchi.

[4:41:00 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 21-23282 from Mr. Ojisan Inc. be approved. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS: (CONT.)

Temporary License Applications: (Cont.)

[4:41:19 p.m.]

8. Appl. No. 21-23439 from Cloroshko LLC, dba Paco's Tacos Cantina Kapolei

For a [Stand-Alone] Temporary Restaurant General license (Category No. 1 – Standard Bar) at 4850 Kapolei Parkway, #401/#402, Kapolei, the former site of Takumi (R1142)

The licensee was represented in this matter by its attorney, Mr. Wayne Luke, and its general manager, Mr. Antonio Aguilar.

[4:42:05 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 21-23439 from Cloroshko LLC be approved. Motion was unanimously carried, 4:0.]

[4:42:23 p.m.]

9. Appl. No. 22-23541 from BYN LLC, dba Le Bev

For a Temporary Retail General license at 320 Ward Avenue, Suite 115, the current site of Posh Enterprise (D1103)

The licensee was represented in this matter by its attorney, Mr. Neal T. Gota, and its general manager, Ms. Rei Lam.

[4:43:00 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23541 from BYN LLC be approved. Motion was unanimously carried, 4:0.]

REQUESTS:

[4:43:19 p.m.]

10. Request No. 21-22349 from Kona Brewery LLC, dba Kona Brewery LLC, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 7192 Kalanianaole Highway (R0688)

Notification of a change in members/managers and transfer of membership interests

The licensee was represented in this matter by its attorney, Mr. Newton J. Chu, and its president, Mr. William 'Billy' Smith.

[4:45:30 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 21-22349 from Kona Brewery LLC be approved. Motion was unanimously carried, 4:0.]

[4:45:49 p.m.]

11. Request No. 22-23565 from E.A.R.L. Eat A Real Lunch LLC, dba E.A.R.L. Eat A Real Lunch, Restaurant General license (Category No. 1 – Standard Bar), 400 Keawe Street, Suite 103 (R1432)

Requesting approval to file its Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b)

The licensee was represented in this matter by its member, Mr. Justin Parvizimotlagh.

[4:46:46 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23565 from E.A.R.L. Eat A Real Lunch LLC be approved. Motion was unanimously carried, 4:0.]

[Note: Agenda Item No. 12 was taken out of order. See pages 4 and 5.]

REQUESTS: (CONT.)

[4:47:06 p.m.]

13. Request No. 22-23582 from Scarlet Honolulu, Inc., dba Scarlet Honolulu, Inc., Dispenser General license (Category No. 3 - Live entertainment or Recorded Music and Dancing), 80 South Pauahi Street (E1407)

Requesting an additional 60-day extension until October 1, 2021, to submit its gross liquor sales payment for FY2020 after the August 1, 2020 due date

(Prior requests approved on:

- 1) October 8, 2020 (for 90 days until 1/31/21):
- 2) February 4, 2020 (for 60 days 4/1/21):
- 3) April 1, 2021 (for 60 days until 6/1/21); and
- 4) May 27, 2021 (for 60 days until 8/1/21))

The licensee was represented in this matter by its owner/director, Mr. Joseph Luna.

[4:49:03 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23582 from Scarlet Honolulu, Inc., be approved. Motion was carried, 3:1: Miyashiro dissented.]

OTHER BUSINESS:

[4:49:41 p.m.]

14. Request No. 22-23607 from Mr. Emmanuel Zibakalam, on behalf of The Shamrock Restaurant Group LLC

Requesting to deactivate liquor license issued to O'Toole's Irish Pub, Inc., dba O'Toole's Irish Pub, Dispenser General license (Category No. 3 - Live entertainment or Recorded Music and Dancing) No. E0452

(Premises at 902 Nuuanu Avenue)

The applicant was represented in this matter by its authorized representative, Mr. Emmanuel Zibakalam.

OTHER BUSINESS: (CONT.)

[4:50:24 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23607 from Mr. Emmanuel Zibakalam, on behalf of The Shamrock Restaurant Group LLC, be withdrawn. Motion was unanimously carried, 4:0.]

[4:50:42 p.m.]

15. Request No. 22-23608 from Mr. Emmanuel Zibakalam, on behalf of TBB Holdings, Inc.

Requesting waiver of Rule 3-82-32.1 requiring a temporary license application be filed within five (5) working days of the cancellation of the previous license or the closing of the business

(Premises at 2299 Kuhio Avenue; formerly Uncle's New York Pub & Grill (R1382))

The applicant was represented in this matter by its authorized representative, Mr. Emmanuel Zibakalam.

[4:51:48 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23608 from Mr. Emmanuel Zibakalam, on behalf of TBB Holdings, Inc., be approved. Motion was unanimously carried, 4:0.]

ACCEPTANCE OF PLEA AND ADOPTION OF DECISION AND ORDER:

16. Workplay LLC (LCV 21-0075) (R1333)

For acceptance of plea and adoption of Decision and Order

17. Waipahu Market (LCV 21-0224) (D0943)

do.

[4:52:14 p.m.]

It was moved by Minn and seconded by Lee that the foregoing pleas be accepted and the Decision and Orders, Agenda Items No. 16 and 17, each dated July 29, 2021, be adopted. Motion was unanimously carried, 4:0.]

ADOPTION OF DECISION AND ORDER:

18. Hanks Café Honolulu For adoption of Decision and Order (LCV 19-0221) (E1328) 19. Hanks Café Honolulu do. (LCV 21-0175) (E1328) 20. Hibiscus Club do. (LCV 20-0259) (E1538) 21. Hibiscus Club do. (LCV 20-0299) (E1538)

[4:52:36 p.m.]

[It was moved by Minn and seconded by Lee that the foregoing Decision and Orders, Agenda Items No. 18 through 21, each dated July 29, 2021, be adopted. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS:

[4:53:04 p.m.]

[Agenda Item No. 22] IN THE MATTER OF THE LICENSE OF:)
ITALIAN RESTAURANT #1, LLC dba ROMANO'S MACARONI GRILL 1450 Ala Moana Boulevard, #4240 Honolulu, Hawaii 96814)) STATUTORY PROCEED-) INGS TO SUSPEND OR) REVOKE LICENSE OR) ASSESS AND COLLECT) A PENALTY

Charge: On or about December 27, 2018, and/or during the period between November 27, 2018, and December 27, 2018, in the City and County of Honolulu, State of Hawaii, Licensee, a limited liability company, failed to notify the Commission, in writing, stating the name and any other information required regarding members who were admitted or withdrawn, within thirty days from the date of such admission or withdrawal, in violation of Section 281-41(e) of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Terrence Lee.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[4:53:31 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Romano's Macaroni Grill to the violation contained in LCV 19-0433 be accepted. Motion was unanimously carried, 4:0.]

[4:54:46 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Romano's Macaroni Grill be issued a letter of reprimand as a penalty for said violation contained in LCV 19-0433. Motion was unanimously carried, 4:0.]

[4:55:07 p.m.]

[Agenda Item No. 23] IN THE MATTER OF THE LICENSE OF:)
HARBOR PUB INC. dba HARBOR PUB INC. 1765 Ala Moana Boulevard Honolulu, Hawaii 96815)) STATUTORY PROCEED-) INGS TO SUSPEND OR) REVOKE LICENSE OR) ASSESS AND COLLECT) A PENALTY

Charge 1: On or about July 28, 2019, at approximately 2:35 a.m., in the City and County of Honolulu, State of Hawaii, Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises, in violation of Rule 3-84-72.2 of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 2: On or about July 28, 2019, Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee, Jeffrey Adomi, when that employee was on duty, in violation of Rule 3-82-38.4(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[4:55:49 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Harbor Pub Inc. to the violations contained in Charges 1 and 2, LCV 19-0251 be accepted. Motion was unanimously carried, 4:0.]

[4:56:25 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Harbor Pub Inc. pay a fine of five hundred dollars (\$500) for Charge 1 and two hundred fifty dollars (\$250) for Charge 2, for a total fine of seven hundred fifty dollars (\$750) as a penalty for said violations contained in LCV 19-0251. Motion was unanimously carried, 4:0.]

[4:56:55 p.m.]

[Agenda Item No. 24] IN THE MATTER OF THE LICENSE OF:)
HARBOR PUB INC. dba HARBOR PUB INC. 1765 Ala Moana Boulevard Honolulu, Hawaii 96815)) STATUTORY PROCEED-) INGS TO SUSPEND OR) REVOKE LICENSE OR) ASSESS AND COLLECT) A PENALTY

Charge: On or about April 9, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order 2021-04, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended Order Implementing Tier 3, dated March 24, 2021, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[4:57:08 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Harbor Pub Inc. to the violation contained in LCV 21-0160 be accepted. Motion was unanimously carried, 4:0.]

[4:57:55 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Harbor Pub Inc. pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 21-0160. Motion was unanimously carried, 4:0.]

[4:58:13 p.m.]

[Agenda Item No. 25] IN THE MATTER OF THE LICENSE OF:)
SIAM RESTAURANTS LLC dba SIAM PARADISE RESTAURANT AND SPORTS PUB 1336 Dillingham Boulevard Honolulu, Hawaii 96817) STATUTORY PROCEED-) INGS TO SUSPEND OR) REVOKE LICENSE OR) ASSESS AND COLLECT) A PENALTY) LCV 19-0313

Charge: On or about September 10, 2019, in the City and County of Honolulu, State of Hawaii, Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor, in violation of Rule 3-82-38.9(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[4:58:57 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Siam Paradise Restaurant and Sports Pub to the violation contained in LCV 19-0313 be accepted. Motion was unanimously carried, 4:0.]

[4:59:19 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Siam Paradise Restaurant and Sports Pub pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 19-0313. Motion was unanimously carried, 4:0.]

[4:59:39 p.m.]

[Agenda Item No. 26]	
IN THE MATTER OF THE LICENSE OF:)
CLANA DECTALIDANTO LLO)
SIAM RESTAURANTS LLC) STATUTORY PROCEED-
dba SIAM PARADISE RESTAURANT AND) INGS TO SUSPEND OR
SPORTS PUB) REVOKE LICENSE OR
1336 Dillingham Boulevard) ASSESS AND COLLECT
Honolulu, Hawaii 96817) A PENALTY
	_) LCV 20-0039

Charge: On or about January 18, 2020, in the City and County of Honolulu, State of Hawaii, Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Liquor Commission, to wit, 0215 hours, in violation of Rule 3-82-38.20(b) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:00:07 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Siam Paradise Restaurant and Sports Pub to the violation contained in LCV 20-0039 be accepted. Motion was unanimously carried, 4:0.]

[5:01:33 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Siam Paradise Restaurant and Sports Pub pay a fine of six hundred fifty dollars (\$650) (five hundred dollar (\$500) plus one hundred fifty dollars (\$150) (\$10/minute past 2:00 a.m.)) as a penalty for said violation contained in LCV 20-0039. Motion was unanimously carried, 4:0.]

[5:01:58 p.m.]

[Agenda Item No. 27] IN THE MATTER OF THE LICENSE OF:)
)
SIAM RESTAURANTS LLC) STATUTORY PROCEED-
dba SIAM PARADISE RESTAURANT AND) INGS TO SUSPEND OR
SPORTS PUB) REVOKE LICENSE OR
1336 Dillingham Boulevard) ASSESS AND COLLECT
Honolulu, Hawaii 96817) A PENALTY
) LCV 20-0221

Charge: On or about September 10, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-26 (COVID-19 [(Novel Coronavirus)], Amended Second Stay at Home/Work from Home Order, dated September 8, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:03:05 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Siam Paradise Restaurant and Sports Pub to the violation contained in LCV 20-0221 be accepted. Motion was unanimously carried, 4:0.]

[5:03:51 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Siam Paradise Restaurant and Sports Pub pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 20-0221. Motion was unanimously carried, 4:0.]

[5:04:11 p.m.]

[Agenda Item No. 28]	
IN THE MATTER OF THE LICENSE OF:)
)
SIAM RESTAURANTS LLC) STATUTORY PROCEED-
dba SIAM PARADISE RESTAURANT AND) INGS TO SUSPEND OR
SPORTS PUB) REVOKE LICENSE OR
1336 Dillingham Boulevard) ASSESS AND COLLECT
Honolulu, Hawaii 96817) A PENALTY
	_) LCV 20-0241

Charge: On or about October 2, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [(Novel Coronavirus)], Honolulu's COVID-19 Recovery Framework: Order Implementing Tier 1, signed on September 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:05:08 p.m.]

[It was moved by Miyashiro and seconded by Lee that the adjudication hearing for Siam Paradise Restaurant and Sports Pub, LCV 20-0241, be continued to the next available date [for a contested hearing]. Motion was unanimously carried, 4:0.]

[5:05:52 p.m.]

[Agenda Item No. 29] IN THE MATTER OF THE LICENSE OF:)
SIAM RESTAURANTS LLC dba SIAM PARADISE RESTAURANT AND SPORTS PUB 1336 Dillingham Boulevard Honolulu, Hawaii 96817)) STATUTORY PROCEED-) INGS TO SUSPEND OR) REVOKE LICENSE OR) ASSESS AND COLLECT) A PENALTY) LCV 20-0269

Charge: On or about November 6, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [(Novel Coronavirus)], Honolulu's COVID-19 Recovery Framework: Order Implementing Tier 2, dated October 20, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:06:13 p.m.]

[It was moved by Miyashiro and seconded by Lee that the adjudication hearing for Siam Paradise Restaurant and Sports Pub, LCV 20-0269, be continued to the next available date [for a contested hearing]. Motion was unanimously carried, 4:0.]

[5:06:43 p.m.]

[Agenda Item No. 30] IN THE MATTER OF THE LICENSE OF:	1
IN THE MATTER OF THE EIGENGE OF.)
SIAM RESTAURANTS LLC) STATUTORY PROCEED-
dba SIAM PARADISE RESTAURANT AND) INGS TO SUSPEND OR
SPORTS PUB) REVOKE LICENSE OR
1336 Dillingham Boulevard) ASSESS AND COLLECT
Honolulu, Hawaii 96817) A PENALTY
) LCV 21-0071

Charge 1: On or about January 21, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, (COVID-19 [(Novel Coronavirus)], Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

Charge 2: On or about January 21, 2021, Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employees, Khwanchai Ounsombath and Aungkana Clancy, when that employee was on duty, in violation of Rule 3-82-38.4(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Wayne Luke; and its general manager, Ms. Sutthinee Wiyanat.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:07:20 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Siam Paradise Restaurant and Sports Pub to the violations contained in Charges 1 and 2, LCV 21-0071, be accepted. Motion was unanimously carried, 4:0.]

[5:08:15 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Siam Paradise Restaurant and Sports Pub pay a fine of five hundred dollars (\$500) for Charge 1 and three hundred fifty dollars (\$350) for Charge 2, for a total fine of eight hundred fifty dollars (\$850) as a penalty for said violations contained in LCV 21-0071. Motion was unanimously carried, 4:0.]

[5:08:49 p.m.]

[Agenda Item No. 31]	
IN THE MATTER OF THE LICENSE OF:)
)
WLC CORPORATION) STATUTORY PROCEED-
dba PANDORA CAFE KARAOKE/BAR & GRILL) INGS TO SUSPEND OR
1526 Makaloa Street) REVOKE LICENSE OR
Honolulu, Hawaii 96814) ASSESS AND COLLECT
	A PENALTY
) LCV 19-0383

Charge: In or during the period ending June 30, 2019, in the City and County of Honolulu, State of Hawaii, Licensee failed to meet the requirement that at least thirty (30) per cent of its gross revenue come from the sale of foods, in violation of Rule 3-82-38.22(b) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Keith Kiuchi.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:09:11 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Pandora Café Karaoke/Bar & Grill to the violation contained in LCV 19-0383 be accepted. Motion was unanimously carried, 4:0.]

[5:10:41 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Pandora Café Karaoke/Bar & Grill pay a fine of seven hundred fifty dollars (\$750) and appear before the Commission for a six-month review of its operations as a penalty for said violation contained in LCV 19-0383. Motion was unanimously carried, 4:0.]

[5:11:29 p.m.]

[Agenda Item No. 32]	
IN THE MATTER OF THE LICENSE OF:)
WLC CORPORATION) STATUTORY PROCEED-
dba PANDORA CAFE KARAOKE/BAR & C	SRILL) INGS TO SUSPEND OR
1526 Makaloa Street) REVOKE LICENSE OR
Honolulu, Hawaii 96814) ASSESS AND COLLECT
) A PENALTY
) LCV 20-0046

Charge 1: On or about February 1, 2020, in the City and County of Honolulu, State of Hawaii, Licensee permitted a person on the licensed premises, other than registered dancers during their performances, to be unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitals, or any portion of the breast below the top of the areola—to wit, the breasts of 2 females—in violation of Rule 3-84-78.02(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 2: On or about February 1, 2020, in the City and County of Honolulu, State of Hawaii, Licensee permitted an unidentified customer(s) to engage in dancing other than on a designated dance floor, and/or permitted "lap dancing" by customer(s), as described in Rule 3-80-1.1 of the Rules of the Liquor Commission of the City and County of Honolulu, within the licensed premises, in violation of Rule 3-82-47.1(c) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 3: On or about February 1, 2020, in the City and County of Honolulu, State of Hawaii, Licensee conducted business outside of the class or category authorized by the Commission, to wit, allowing nudity and nude dancing on premises, which constituted a violation of Rule 3-82-31.2(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

The licensee was represented in this matter by its attorney, Mr. Keith Kiuchi.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Katherine Neste, Deputy Corporation Counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[5:11:52 p.m.]

[It was moved by Miyashiro and seconded by Lee that the no contest plea by the licensee of Pandora Café Karaoke/Bar & Grill to the violations contained in Charges 1 through 3, LCV 20-0046, be accepted. Motion was unanimously carried, 4:0.]

[5:14:00 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Pandora Café Karaoke/Bar & Grill pay a fine of five hundred dollars (\$500) for Charge 1, five hundred dollars (\$500) for Charge 2; and five hundred dollars (\$500) for Charge 3, for a total fine of one thousand five hundred dollars (\$1,500) as a penalty for said violations contained in LCV 20-0046. Motion was unanimously carried, 4:0.]

OTHER BUSINESS: (CONT.)

[5:14:39 p.m.]

33. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

ADJOURNMENT:

[5:14:51 p.m.]

There being no further business before the Commission, the meeting was adjourned by the Interim Chairperson at 5:14 p.m.

The Commission will reconvene on Thursday, August 5, 2021, at 4 p.m.

LIQUOR COMMISSION CITY AND COUNTY OF HONOLULU

FRANKLIN DON PACARRO, JR.

Administrator

I certify that the foregoing is a true and correct summary of the proceedings, prepared to the best of my ability, of the meeting held on Thursday July 29, 2021.

Kalona Estomage

Acting Hearings Reporter

Date